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Total Number of Pages in This Submission

17

Application Number	10/679,075
Filing Date	10/03/2003
First Named Inventor	Steven Durham
Art Unit	3637
Examiner Name	Not Yet Assigned
Attorney Docket Number	40120-10024

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Form 1449/PTO; Concise Explanation of Reliance of Non-English Language Docs; 3 Citation Refs; Return Receipt Postcard
Remarks This application is a CIP of 09/902,390 filed 07/10/2001 PAT 6,631,591		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James D. Ryndak, Reg. No. 28,754 Ryndak & Suri, 30 N. LaSalle Street, Suite 2630, Chicago, IL 60602
Signature	
Date	January 16 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	James D. Ryndak
Signature	
Date	01/16/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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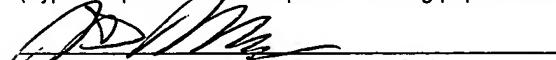


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James D. Ryndak
(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: STEVEN DURHAM

Serial No.: 10/679,075
Filed: 10/03/2003

For: **ENERGY GENERATING SHELTER SYSTEM AND METHOD**

Group Art Unit: 3637
Examiner: Not Yet Assigned
Attorney Docket No.: 40120-10024

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) those previously cited or submitted to the Office in the following application, now U.S. Patent Number 6,631,591, upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: 09/902,390

Filing Date: 07/10/2001

Patent No.: 6,631,591

Regarding the document(s), publication(s) or other information listed on the attached PTO-1449, Applicant believes the same may qualify as "prior" art to this application and should be treated accordingly, although Applicants reserve the right to contest the prior art status of any document cited herein.

Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

(a) Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents."

Pursuant to 37 C.F.R. 1.97(b), this Statement is being filed before the mailing date of a first Office Action on the merits. No fee is required.

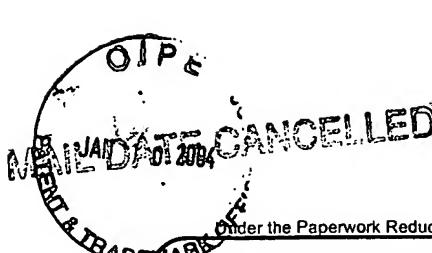
Respectfully submitted,

By:


James D. Ryndak
Reg. No. 28,754
Attorney for Applicant

Dated: January 16, 2004

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Complete if Known

Application Number	10/679,075
Filing Date	October 3, 2003
First Named Inventor	Steven Durham
Art Unit	3637
Examiner Name	Not Yet Assigned

Attorney Docket Number 40120-10024

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 882,870	03-24-1908	Cary	
		US- 1,018,522	02-27-1912	Savage	
		US- 2,293,329	08-18-1942	Coburn	
		US- 2,362,360	11-07-1944	Davis	
		US- 2,694,231	11-16-1954	Bermejo	
		US- 2,821,204	01-28-1958	Hartshorn, Sr.	
		US- 2,869,562	01-20-1959	Francis	
		US- 2,926,678	03-01-1960	Francis	
		US- 3,032,045	05-01-1962	Francis	
		US- 3,032,046	05-01-1962	Francis	
		US- 3,195,274	07-1965	Itch	
		US- 3,792,505	02-1974	Saltzstein	
		US- 4,068,673	01-17-1978	Bernardi	
		US- 4,284,095	08-18-1981	Norton	
		US- 4,313,279	02-1982	Greenbaum	
		US- 5,109,643	05-05-1992	Speers	
		US- 5,261,435	11-16-1993	Stanley et al.	
		US- 5,441,067	08-15-1995	James et al.	
		US- 5,499,644	03-1996	Geniele	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶

Examiner Signature		Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/679,075
Sheet 2 of 3		Filing Date	October 3, 2003
		First Named Inventor	Steven Durham
		Art Unit	3637
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	40120-10024

U. S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US- 5,579,797	12-03-1996	Rogers
		US- 5,622,011	04-1997	Jines
		US- 5,937,881	08-1999	Villa
		US- 6,405,742	06-2002	Driscoll
		US- D186,655	11-17-1959	Vetere
		US- D192,212	02-13-1962	Schlager et al.
		US- D225,051	11-7-1972	Smithhart
		US- D363,790	10-31-1995	Boyd
		US- D382,650	08-19-1997	Bauer
		US- D403,081	12-22-1998	Luzzardi et al.
		US- D412,993	8-17-1999	Chipman et al.
		US- D413,394	8-31-1999	Chipman et al.
		US- D415,573	10-19-1999	Chipman et al.
		US- D421,132	02-22-2000	Chipman et al.
		US-		

FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		CN 297255	02-1986	Minh

Examiner Signature		Date Considered
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<p>Substitute for form 1449/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p>		C m pl t if Known	
		Application Number	10/679,075
		Filing Date	October 3, 2003
		First Named Inventor	Steven Durham
		Art Unit	3637
		Examiner Name	Not Yet Assigned
Sheet	3	of	3
		Attorney Docket Number	
		40120-10024	

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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